
STATUTORY INSTRUMENTS

2001 No. 4010

**The Maternity and Parental Leave
(Amendment) Regulations 2001**

Amendments to the Principal Regulations

5. For regulation 15 (when parental leave may be taken) substitute—

“15.—(1) Except in the cases referred to in paragraphs (2)–(4), an employee may not exercise any entitlement to parental leave in respect of a child after the date of the child’s fifth birthday or, in the case of a child placed with the employee for adoption by him, on or after—

- (a) the fifth anniversary of the date on which the placement began, or
- (b) the date of the child’s eighteenth birthday,

whichever is the earlier.

(2) In the case of child—

- (a) born before 15th December 1999, whose fifth birthday was or is on or after that date, or
- (b) placed with the employee for adoption by him before 15th December 1999, the fifth anniversary of whose placement was or is on or after that date,

not being a case to which paragraph (3) or (4) applies, any entitlement to parental leave may not be exercised after 31st March 2005.

(3) In the case of a child who is entitled to a disability living allowance, any entitlement to parental leave may not be exercised on or after the date of the child’s eighteenth birthday.

(4) In a case where—

- (a) the provisions set out in Schedule 2 apply, and
- (b) the employee was unable to take leave in respect of a child within the time permitted in the case of that child under paragraphs (1) or (2) because the employer postponed the period of leave under paragraph 6 of that Schedule,

the entitlement to leave is exercisable until the end of the period to which the leave was postponed.”